

AMROBA® inc

ADVOCATE OF THE AVIATION MRO INDUSTRY

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Aviation Industry Meeting
Acacia Ridge, Qld Outcomes

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*Saturday 20th April, 2013, 1.00 pm
Coopers Colonial Motel — Acacia Ridge*

What an extraordinary meeting with CASA's CEO John McCormick. Over 80 small business owners, operators and their representatives met to identify issues affecting the long term viability of this industry with CASA. Attendees were expecting that they would maturely be able to raise issues and expected CASA to maturely discuss the issues. Nobody expected CASA to provide answers on the day, most just hoped that they would be listened to by CASA. One of those issues is the attitude of CASA field staff that directly interact with industry.

When CASA was invited into the meeting, it was not long before CASA's CEO McCormick took the microphone and started by saying that AMROBA is misleading the industry as well as others. He then went on to totally mislead the industry on the applicability of CASR Part 145. He started off by telling many that they did not need CASR Part 145 unless they were maintaining high capacity (>36 seats) aircraft. This is totally misleading. Any business in the room that is maintaining passenger carrying aircraft operating under CAR206(c) (i) and/or aeronautical components for those aircraft know that they need Part 145 to remain viable.

In fact, it was CASA that had contacted most of the organisations urging them to get their applications for Part 145 started.

What was disappointing was McCormick dismissing respectable small business owners and operators who attempted to explain what is the real costs of complying with CASRs Part 42/145.

The lack of respect shown to small business, many who must adapt to changing policies under this CASA CEO and previous CEOs etc, had to be seen to be believed.

As many at this meeting identified, regulatory development under this CASA has been a complete disappointment. The outcome of this regulatory system and regulatory proposals is an increase in red tape and further micro management. There is genuine concern that many will not meet the transition deadline of June 2013.

The general consensus of those that attended the meeting is that they were shown complete disrespect and many were taken aback with an approach that was designed to stop discussion.

Obviously, McCormick came to the meeting not to listen to genuine issues confronting small business but to put down anyone that dared questioned the direction he is taking this industry. Many worry that the current direction will mean many small businesses will not be viable under the regulatory system being created. Many are struggling to survive under the current system let alone additional administrative costs.

When issues were raised, to say that he had not heard of them, demonstrated the lack of communication within his organisation. These complaints and issues have been raised at many meetings with CASA over the last couple of years.

For those that are involved in GA, McCormick stated that it will be years before they will have to change—to what we are not sure.

When he tried to make out they only received a limited number of complaints and most of them related to pilot's medical, many in the meeting raised that they had submitted complaints. When McCormick stated he had not heard of them, members informed him that they had been sent directly to him but answered by someone else.

AMROBA and attendees have great support and hopes for CASA's ICC, Elizabeth Hampton, who recently has proactively assisted some that had submitted complaints. AMROBA recommends to all members to send complaints to CASA's ICC.

The fear of harassment and victimisation is real and this was even recognised by Senator Ian McDonald who told the meeting if anyone felt they were being harassed or victimised because they have spoken out, then they were to not only complain to CASA's ICC but to pass a copy to him or contact him directly.

His contact details have been circulated.

EASA Parts 66/145 & CASA Parts 66/145

One point that AMROBA has continued to raise is that the CASR Part 145 is different to EASR Part 145 and if the EASR Part 145 had been adopted, less costs would be associated with maintenance.

Qantas and Virgin wanted EASR Parts 66/145 for airline maintenance because it is also the basis of NZ & Asia Pacific airline MRO requirements.

Adoption of EASR Part 145 and associated Sub-part M requirements for the airlines would have benefited employers, sadly, the differences are subtle but costly for smaller businesses.

EASA is just coming to terms with what are our small aviation businesses are experiencing after many have closed in Europe.

The same applies to CASR Part 66, adoption of the EASA mandatory training period and their full practical and knowledge examination processes would have benefited our employers in the long term. EASR Part 66 also includes self study + practical examination + knowledge examination that is available under CARs but not CASRs.

Instead of "adopting" international standards, CASA created unique standards — isn't that exactly why government initiated a rewrite of our aviation regulatory system, to get rid of unique requirements.

One only has to read CASR parts 42/145 and see how much CASA must approve and compare with EASA Part M & Part 145 to see the difference.

Everyone is confused with the privileges of the Part 66 AME licence — it has created great confusion for the non airline system.

Though the airlines were given 5 years pre the making of Part 66 to transition their LAMEs, the non airlines were given no time. No reference is made on the AME licence to the MoS especially the transitional provisions.

The transitional requirements are not clear and concise and has left many wondering if they are still compliant.

Our aviation education facilities are training to meet specific industry levels — an issue recog-

nised by EASA when it mandated its training criteria that we should have adopted.

CASA cannot deny that there is an ever increasing amount of red tape associated with the introduction of new maintenance requirements.

The Part 66 AME licence does not guarantee that the holder has "experience" associated with the licence. Unlike the CAR31 AME licence, it is now the AMO responsibility to determine experience. New Part 66 licence holders have only proven competency during training to meet the training competency units.

There has been little promulgated to explain to employers that holding a Part 66 licence does not mean that the person has any experience in the maintenance tasks that they are employed for.

CASR Part 145 explains this but many CAR30 AMOs are not aware of this need.

As has been pointed out by Australian FAA A&P holders, the training produces LAMEs without experience and, unlike the FAA system, there is no requirement for the LAME to perform tasks under supervision of an experienced LAME before certifying for similar maintenance tasks.

Another problem is that there were a number of issues that needed clarification in the CAO 100.90 series regarding what each licence rating could do and those issues are still with the industry.

Training establishments are slowly implementing transitional training to remove exclusions for the non airline sectors but the costs are fairly prohibitive to the non airline LAME.

What has always been a contention is the demarcation between avionic and mechanical where a mechanical LAME can do some maintenance on a VFR aircraft but not the same work on an IFR or multi generator aircraft?

How many more years do we have to wait before these administrative implied issues are addressed.

At least it will be a few years before the next change to the CASRs to include GA—or will it?

SMS & Corrective Action

One of the principles of a good SMS is a no-blame culture. Every experienced general aviation organisation and their staff have adopted a 'family' approach to managing risks know how easy it is to lose years of trust and respect by customers simply by making human errors.

The purpose of investigating errors is to identify the 'cause' to prevent further occurrence. Each small business owner knows that quality issues with aircraft or products they maintain will lose customers quickly.

Every small aviation business also knows that people make errors and the company must have checks and balances to identify and correct.

Adoption of a Corrective Action Process to address the "cause" of any identified deficiency is recommended. Internal investigation to find the "cause" is very important as staff will respond to reduce errors and hazards once they understand the "cause".

ICAO SMS Manual supports the no-blame system.

When will CASA support corrective actions?

CAA(NZ) OAG Audit Report

According to CASA's CEO, the NZ regulatory system is a basket case and he referred to the NZ Office of the Auditor-General Report. The CAA(NZ) Implementation of the OAG Report Recommendations is on the CAA(NZ) website as well as the OAG report. A very transparent Authority.

www.caa.govt.nz/publicinfo/public_documents.htm

We were unable to find in this report any recommendation that states the NZ aviation regulatory framework needed changes.

The recommendations are as follows:

[Table 1: Recommendations of the Office of the Auditor-General](#)

1. *More effective governance of, and accountability for, the Civil Aviation Authority's certification and surveillance functions*
2. *Clarifying the Civil Aviation Authority's regulatory focus, and providing better guidance to ensure that regulatory responses are appropriate and consistent*
3. *Improving the Civil Aviation Authority's management practices to focus on improving performance and introducing continuous quality improvement*
4. *Improving the Civil Aviation Authority's management oversight of new certification and surveillance processes*
5. *Focusing staff training on improving organisational proficiency in auditing*

Most of these recommendations have been addressed as stated within the Implementation Report by the CAA(NZ). The transparency of the CAA(NZ) system has to be admired.

One wonders why CASA misleads industry. From a non airline perspective, adoption of the NZ aviation regulatory system is much better than having a non sympathetic Authority develop unique Australian regulations.

Lets look at NZ aviation industry association representative body (<http://www.aia.org.nz/>) website that provides a link to a Report done in 2011:

http://business.newzealand.com/media/518130/understanding_value_in_the_new_zealand_aviation_sector.pdf Quotes from that report:

"New Zealand is recognised as having an efficient regulatory system, and has adopted progressive reforms that give confidence to the private sector. Much of this efficiency is driven by the need for local businesses to compete on an international scale. New Zealand has been a leader in liberalising international trade since the 1980s. As a result, New Zealand has successfully negotiated trade agreements with most of its major trading partners (including China).

Regulatory stability is also important to business confidence, and New Zealand has a steady and effective regulatory environment.

Increased safety does not mean high compliance costs.

Industry participants in New Zealand also express positive views on the work of the CAA. In 2004, an industry survey found that stakeholders regard regulation of the New Zealand aviation sector as striking the right balance between robust oversight and minimising compliance costs (source: CAA 2004)."

Based on the NZ OAG Report, the CAA(NZ) transparency on implementing the recommendations of the OAG Report, the Report to New Zealand Trade and Enterprise "*Understanding Value in the New Zealand Aviation Sector*" referred above, it definitely supports our members opinions of the NZ regulatory system and that just about every other Australian aviation industry association's opinion that Australia would be better off with the NZ aviation regulations and coupled with an Authority that has the same regulatory approach as the CAA(NZ).

Canadian Aviation Regulations

Transport Canada develops all its aviation regulatory policies and regulations in conjunction with the Canadian Aviation Regulation Advisory Council (CARAC) that has been part of the Civil Aviation rulemaking process since 1993. Much work has been done during this time, with the CARAC being identified by central agencies as a best practice with respect to openness and transparency.

Over the years, Transport Canada has worked to streamline the regulatory consultation process.

To make the rulemaking process more responsive to safety priorities, Transport Canada launched the Canadian Aviation Regulation Advisory Council Modernisation Project in November 2011.

The CARAC Modernisation Project aims to achieve the following objectives:

Greater responsiveness, Enhanced efficiency, Heightened effectiveness. Further information is available on the following website:

<http://www.tc.gc.ca/eng/civilaviation/regserv/cars/about-1170.htm>

* Become a Member *

The adage "there is strength in numbers" is absolutely true when it comes to influencing government regulations and policy. No one company, no matter how big or successful, can keep up on all the regulatory issues directly impacting businesses.

AMROBA is dedicated to serving the businesses that are responsible for the in-service continuing airworthiness of aircraft and aeronautical products, including the manufacture of replacement parts for in-service aircraft. This segment of the industry has never had a dedicated advocate until now.

AMROBA membership form is available from the AMROBA website: <http://amroba.org.au/become-a-member/>

print the membership form http://amroba.org.au/index.php/download_file/view/15/



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NZ Fit & Proper Person

The NZ aviation system has a 'fit & proper person criteria' that all holders of a NZ authorisation must hold. The reference to this criteria is available on this link.

http://www.caa.govt.nz/publications/vector/vector_articles/fit_and_proper.pdf

AMROBA supports this approach and the criteria that a person holding an authorisation has established criteria. Criteria:

"In simple terms, anyone holding or applying for an aviation document, or anyone who has control over the exercise of the privileges of an aviation document, must satisfy the Director that they are a fit and proper person to do so. This is a requirement of the Civil Aviation Act 1990, Section 9. An aviation document includes, for example, a licence, a rating, or an air operator certificate.

The criteria for the fit and proper person test are:

- *The applicant's conviction record for transport safety offences.*
- *The applicant's experience in the transport industry.*
- *The applicant's knowledge of aviation regulatory requirements.*
- *The applicant's history of compliance with transport safety regulatory requirements.*
- *The applicant's history of physical or mental health or behavioural problems.*

What makes this attractive is that once a person has met the criteria there would need to be proof that the criteria had not continued to be met before the Authority deems that you are not a fit and proper person to hold an authorisation.

Their document clearly states that a criminal record does not stop a person from obtaining an authorisation. It is about honesty and trust.

"There are people with previous criminal convictions, who have made an honest declaration to the CAA, and they have gone on to make great contributions to the aviation industry. Convictions may not be a major issue in several situations. It will depend on whether the convictions are deemed to be relevant to an applicant's safe participation in the civil aviation system."

The benefits are that there is criteria, and their CAA does not determine that you are not a 'fit and proper' person unless the criteria has not been complied with by a person holding an authorisation.

The Aircraft Maintenance Engineers/Technician Creed

Worth Remembering

"UPON MY HONOR I swear that I shall hold in sacred trust the rights and privileges conferred upon me as a qualified aircraft maintenance engineer/technician. Knowing full well that the safety and lives of others are dependent upon my skill and judgment, I shall never knowingly subject others to risks which I would not be willing to assume for myself, or for those dear to me.

IN DISCHARGING this trust, I pledge myself never to undertake work or approve work which I feel to be beyond the limits of my knowledge nor shall I allow any non qualified superior to persuade me to approve aircraft or equipment as airworthy against my better judgment, nor shall I permit my judgment to be influenced by money or other personal gain, nor shall I pass as airworthy aircraft or equipment about which I am in doubt either as a result of direct inspection or uncertainty regarding the ability of others who have worked on it to accomplish their work satisfactorily.

I REALIZE the grave responsibility which is mine as a qualified aircraft maintenance engineer/technician, to exercise my judgment on the airworthiness of aircraft and equipment. I, therefore, pledge unyielding adherence to these precepts for the advancement of aviation and for the dignity of my vocation."